

- a) Every criminal offence of which the person has been convicted, except in respect of which a pardon has been issued or granted under the Criminal Records Act (Canada);
- b) Despite clause (a), any conviction for which a pardon has been granted where disclosure is authorized under the Criminal Records Act (Canada);
- c) Every criminal offence of which the person has been found guilty and has been discharged, except an offence in respect of which the Criminal Records Act (Canada) requires that the record be purged;
- d) Every finding of guilt under the Youth Criminal Justice Act (Canada) in respect of the person during the applicable period of access under that Act;
- e) Every outstanding order of a judge or justice of the peace made against the person in respect of a criminal matter, including a probation order, prohibition order or warrant;
- f) Every outstanding restraining order made against the person under section 35 of the Children’s Law Reform Act, section 46 of the Family Law Act or section 137 of the Child, Youth and Family Services Act, 2017, or any predecessors of those sections;
- g) Every outstanding criminal charge against the person;
- h) Every criminal charge against that person that,
 - o i. Resulted in a finding of not criminally responsible on account of mental disorder,
 - o ii. Resulted in a stay of proceedings,
 - o iii. Was dismissed by the court, or
 - o iv. Was withdrawn by the Crown;
- i) Every contact between the person and police service for which the police service has a written record, unless,
 - o i. Disclosing the information could reasonably be expected to interfere with a law enforcement matter,
 - o ii. A police service has not made the person aware of the contact,
 - o iii. The person was a minor at the time of the contact, or
 - o iv. The information is not relevant to the person’s suitability to perform caregiving duties for a child or to reside in a place where a child is residing and receiving care; and
- j) Every contact between the person and a police force or service in relation to actions taken against the person under the Mental Health Act because of a determination under that Act that the person was suffering, or apparently suffering, from a mental disorder of a nature or quality that would likely result in serious bodily harm to the person or to another person or in serious physical impairment of the person.

(2) For greater certainty, nothing in this Regulation permits or requires the disclosure of information if the disclosure is prohibited under the Criminal Code (Canada), the Criminal Records Act (Canada), the Youth Criminal Justice Act (Canada) or any other law of Canada.

For more information please speak to your worker _____

WHERE TO FIND US:

Barrie

60 Bell Farm Road, Unit 7, L4M 5G6
(705) 726-6587 or 1-800-461-4236

Bracebridge

193 Manitoba Street, ON P1L 1S3, Unit 5
(705) 645-4426

Collingwood

186 Hurontario Street, Unit 105, L9Y 4T4
(705) 444-9160

Huntsville

81 Main Street West, P1H 1X1
(705) 789-8866

Midland

741 Yonge Street, Units 7 & 8, L4R 2E1
(705) 526-9341

Orillia

250 West Street N, Unit 3, L3V 5C9
(705) 325-1005 or 1-800-422-9970

HOW TO CONNECT WITH US:

1-800-461-4236

familyconnexions.ca

 /SMFConnexions  @SMFConnexions

 SMFConnexions



 Simcoe Muskoka
Family Connexions
Connexions Familiales
de Simcoe Muskoka

**BROAD RECORD CHECK
FOR CAREGIVERS**
In effect January 1, 2025



As part of the screening process for all caregivers and to ensure the safety of children and youth who are in care or receiving services under the Child, Youth and Family Services Act, 2017 or the Intercountry Adoption Act, 1998, caregivers must now provide Simcoe Muskoka Family Connexions with a Broad Record Check (Ontario Regulation 155/18).

This regulation does not apply to Customary Care placements or to youth who are over 18 and receiving residential care.

ANTI-RACIST, ANTI-OPPRESSIVE AND INTERSECTIONAL APPROACH THAT IS TRAUMA-INFORMED, HEALING CENTERED AND AFFIRMING:

Simcoe Muskoka Family Connexions recognizes that Police Record checks can have a disproportionate impact on racialized, Indigenous and marginalized groups that are overrepresented by the criminal justice system in Canada. SMFC recognizes that there is an inherent negative perception (bias) and stereotypes of people with criminal records.

SMFC is committed to considering whether the information within a police record check would have a real effect on the person's ability to care for a child safely and securely, while also considering the inherent racism and oppression which has led to the overrepresentation of racialized, Indigenous and marginalized groups. Additionally, for any First Nation, Inuit or Metis person, consultation will occur with their band or community.

WHO MUST PROVIDE A BROAD RECORD CHECK:

The following individuals must provide Simcoe Muskoka Family Connexions with a Broad Record Check prior to contact with a child or youth without supervision and provide a new one every 3 years:

- A Foster care provider and any person over 18 who resides with a foster care provider
- A person seeking to be a foster care provider and any person who resides with them.
- A prospective adoptive parent seeking to adopt and any person who is over 18 and resides with the person seeking to adopt

The following individuals must request a Broad Record Check within 7 days of being advised of the requirement and provide it to the society as soon as possible after receiving it and then every 3 years while the child or youth remains in the placement:

- A family member or family friend who is caring for a child or youth that is in the care of the society and completing a Place of Safety designation and any person over 18 who resides in the home. (Kinship-in-Care Placement)
- A family member or family friend who is caring for a child or youth with the agreement of the parents and any person over 18 who resides in the home. (Kinship Service Placement)

WHAT ELSE IS REQUIRED?

- When providing your Broad Record Check, you can include a written statement to your worker about, whether in your opinion, the contents of the record is relevant to caring for a child or youth.
- In the year where a Broad Record Check is not required, you must provide an Offence Declaration to your worker, which would list all your convictions for offences under the Canadian Criminal Code and every criminal offence for which there is an outstanding charge or warrant to arrest against you up to the date of the declaration.
- You are also required to inform your worker, through a Notice of Charges or Convictions, as soon as possible after being charged or convicted of an offence under the Criminal Code.

WHERE TO OBTAIN A BROAD RECORD CHECK?

Your worker will provide you with a letter outlining the purpose of the record check, which you will provide to the police detachment. Once you receive the BRC, you will provide it, along with a written statement, if you wish, to your worker.

THEN WHAT?

Your worker and Service Manager will review the results of the BRC and your written statement. They may ask some additional questions to better understand the circumstances surrounding the charge or conviction. They will work with you to mitigate any concerns, however, SMFC will be required to end your caregiver status should the nature of your conviction has or could put a child or youth at risk of harm.

PRIVACY

SMFC adheres to the Information and Privacy Act (Part X and PHIPA) and will ensure that your information is kept confidential within our database system.

WHAT IS A BROAD RECORD CHECK:

Broad Record Check includes written information prepared by a police record check provider, within the meaning of the Police Record Checks Reform Act, 2015, based on information available to the police record check provider at the time the check is prepared respecting the particulars of:

